

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated July 12, 2004, claims 1-18 are pending in the application. Applicants respectfully request the Examiner to reconsider the rejections.

Claims 14 and 15 stand rejected under 35 U.S.C. §112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 14 and 15 have been amended. Applicants respectfully believe that this amendment overcomes this rejection.

Claims 1-13 and 16-18 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Chubb* (6,593,849). Applicants respectfully traverse.

The present application includes independent claims 1, 10, 13 and 16. Claims 1, 10 and 13 each include the step of determining a relative roll angle. The relative roll angle is illustrated in Fig. 2. The definition for the relative roll angle is set forth in paragraph 39 which states that the relative roll angle is the angle between the wheel axle and the body. The wheel departure angle in paragraph 39 is set forth as the angle from the axle or wheel axis to the road surface. Claims 1, 10 and 13 include the step of determining a relative roll angle. Applicants respectfully submit that the *Chubb* reference does not teach or suggest the determination of a relative roll angle. Further, the *Chubb* reference does not teach the determination of a wheel departure angle. Although the *Chubb* reference is concerned with determining when the wheels have lifted from the pavement, no teaching or suggestion is provided for determining a value of a wheel departure angle. The Examiner points to Col. 4, line 60 through Col. 5, line 2 for determining a relative roll angle. Although a roll angle is mentioned, no specific roll angle is determined. Applicants respectfully submit that this roll angle does not specifically mentioned the relative roll angle. The Examiner points to Fig. 3 and Col. 5, lines 52-62, for determining the wheel departure angle. Applicants respectfully submit that Col. 5, lines 52-62, does not

specifically mention a wheel departure angle. This portion of the *Chubb* description teaches determining the normal force and counteracting roll in response to the normal forces at each wheel. In short, Applicants respectfully submit that at least determining a relative roll angle and determining a wheel departure angle are not taught or suggested in the *Chubb* reference. Applicants would like to point out that the present application is far more specific than the *Chubb* reference.

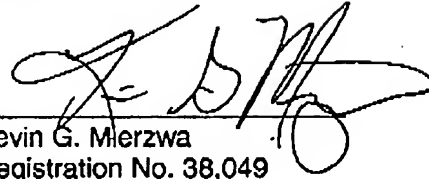
Claim 16 has three steps that include applying a brake pressure to prevent rollover, determining the vehicle is bouncing, and holding the brake pressure when the vehicle is bouncing. The Examiner points to Col. 1, lines 22-26, Col. 2, lines 59-63, and Col. 3, lines 40-46, for the teaching of determining the vehicle is bouncing. Applicants have reviewed these portions and can find no teaching or suggestion for determination that the vehicle is bouncing. Dependent claims 2-9, 11-12, 14-15, and 17-18 are depending from their allowable independent claims.

Claims 14 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Chubb* as applied to claim 13 above. Claims 14 and 15 are dependent upon claim 13 which is believed to be allowable for the same reasons set forth above. Applicants respectfully request the Examiner to reconsider the rejection of claims 14 and 15.

In light of the above remarks, applicants submit that all rejections are now overcome and the application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments which would place the application in better condition for allowance, he is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to deposit account 06-1510 or, if insufficient funds in that account, use deposit account 06-1505.

Respectfully submitted,



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